

Senate Bill No. 841

Passed the Senate January 19, 2006

Secretary of the Senate

Passed the Assembly April 6, 2006

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2006, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 4291.3 to the Public Resources Code, relating to forest practices.

LEGISLATIVE COUNSEL'S DIGEST

SB 841, Hollingsworth. Fire protection: firebreaks.

Existing law requires the State Board of Forestry and Fire Protection to adopt regulations implementing minimum fire safety standards related to defensible space, that are applicable to state responsibility area lands under the authority of the Department of Forestry and Fire Protection. Existing law requires a person that owns, leases, controls, operates, or maintains any building or structure in, upon, or adjoining any mountainous area or forest covered lands, brush lands, or grass-covered lands, or any land that is covered with flammable material, to maintain around and adjacent to the building or structure a firebreak of at least 30 feet, as specified.

This bill would, consistent with any other applicable provision of law, authorize a state or local fire official, at his or her discretion, to permit an owner of property, or his or her agent, to construct a firebreak or implement appropriate vegetation management techniques, to ensure that defensible space is adequate for the protection of a hospital, adult residential care facility, school, aboveground storage tank, hazardous materials facility, or similar facility on the property. The bill would authorize the firebreak to be for a radius of up to 300 feet from the facility, or to the property line, whichever distance is shorter.

The people of the State of California do enact as follows:

SECTION 1. Section 4291.3 is added to the Public Resources Code, to read:

4291.3. Subject to any other applicable provision of law, a state or local fire official, at his or her discretion, may authorize an owner of property, or his or her agent, to construct a firebreak, or implement appropriate vegetation management techniques, to ensure that defensible space is adequate for the protection of a

hospital, adult residential care facility, school, aboveground storage tank, hazardous materials facility, or similar facility on the property. The firebreak may be for a radius of up to 300 feet from the facility, or to the property line, whichever distance is shorter.

Approved _____, 2006

Governor